

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

U.S. BANK NATIONAL	:	CIVIL ACTION NO. 1:17-CV-1466
ASSOCIATION, AS TRUSTEE,	:	
SUCCESSOR IN INTEREST TO	:	(Chief Judge Conner)
BANK OF AMERICA, NATIONAL	:	
ASSOCIATION AS TRUSTEE AS	:	
SUCCESSOR BY MERGER TO	:	
LASALLE BANK NATIONAL	:	
ASSOCIATION, AS TRUSTEE FOR	:	
CERTIFICATEHOLDERS OF BEAR	:	
STEARNS ASSET BACKED	:	
SECURITIES I LLC, ASSET-	:	
BACKED CERTIFICATES, SERIES	:	
2007-HE7,	:	
	:	
Plaintiff	:	
	:	
v.	:	
	:	
BRIAN A. GERBER and TRACY L.	:	
GERBER,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 21st day of March, 2019, upon consideration of the motions (Docs. 29, 36) for leave to amend and the motion (Doc. 33) for partial summary judgment filed by defendants Brian A. Gerber and Tracy L. Gerber (“the Gerbers”), as well as plaintiff U.S. Bank’s motion (Doc. 38) for summary judgment on its foreclosure action, and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. The Gerbers' motion (Doc. 36) for leave to amend is GRANTED in part and DENIED in part. The Gerbers may file an amended answer in conformity with the accompanying memorandum.

2. The Gerbers' motion (Doc. 29) for leave to amend is **DISMISSED** as moot.
3. The Gerbers' motion (Doc. 33) for partial summary judgment is **DENIED** without prejudice.
4. U.S. Bank's motion (Doc. 38) for summary judgment is **DENIED** without prejudice.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania